

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

HAWAII CHILDREN'S BLOOD	)	CIVIL NO. CV03-00708 SOM-LEK
AND CANCER GROUP,	)	(Other Civil Action)
	)	
Plaintiff,	)	DECLARATION OF KENNETH S.
	)	ROBBINS
vs.	)	
	)	
HAWAII PACIFIC HEALTH;	)	
KAPI'OLANI MEDICAL	)	
SPECIALISTS; KAPI'OLANI	)	
MEDICAL CENTER FOR	)	
WOMEN AND CHILDREN,	)	
	)	
Defendants.	)	
_____	)	

DECLARATION OF KENNETH S. ROBBINS

I, KENNETH S. ROBBINS, make the following declaration on personal knowledge and am competent to testify to the matters stated therein.

1. I am an attorney licensed to practice in all courts in the state of Hawai'i.

2. I make this declaration on personal knowledge of the facts set forth in this declaration and am competent to testify to the matters stated therein.

3. I am the lead defense counsel for Defendants HAWAII PACIFIC HEALTH, KAPI'OLANI MEDICAL CENTER FOR WOMEN AND CHILDREN AND KAPI'OLANI MEDICAL SPECIALISTS (collectively referred to as " Defendants").

4. I am the lead defense counsel for Defendants HAWAII PACIFIC HEALTH, KAPI'OLANI MEDICAL SPECIALISTS, KAPI'OLANI MEDICAL CENTER FOR WOMEN AND CHILDREN, ROGER DRUE, FRANCES A. HALLONQUIST, NEAL WINN, M.D. AND SHERREL HAMMAR, M.D. (collectively referred to as "HPH Defendants") in Woodruff, et al., vs. Hawaii Pacific Health, et al., Civil No. 02-1-0090-91 (BIA) in the Circuit Court of the First Circuit, State of Hawai'i ("State Case").

5. Attached hereto as Exhibit "A" is a true and accurate copy of the Second Amended Complaint in the State Case.

6. Attached hereto as Exhibit "B" is a true and accurate copy of Judge Ayabe's Order granting HPH Defendants' Motion for Summary Judgment as to all Remaining Claims in the State Case, filed April 18, 2008.

7. Exhibit "B" addresses the State Case claims under the antitrust laws and for alleged publication of misleading information.

8. Attached hereto as Exhibit "C" is a true and accurate copy of relevant portions of the transcript of January 19, 2006 proceedings before Hon. Susan Oki Mollway in the instant Federal Action.

9. Attached hereto as Exhibit "D" is a true and accurate copy of relevant portions of the transcript of July 26, 2007 proceedings before Hon. Susan Oki Mollway in the instant Federal Action.

10. Attached hereto as Exhibit "E" is a true and accurate copy of Document No. 145 in this matter, the Minutes of the June 19, 2008 Status Conference Re: Status of Underlying State Action.

11. On January 19, 2007, Judge Ayabe filed his Order granting Defendant Deloitte & Touche's ("D&T") Motion for Summary Judgment as to Count IX (defamation) of the Second Amended Complaint in the State Case.

12. On March 2, 2007, Judge Ayabe filed his Order granting Defendant Warren's Motion for Summary Judgment in the State Case.

13. On July 17, 2007, Judge Ayabe filed his Order granting in part and denying in part Defendant D&T's Motion for Partial Summary Judgment as to all Remaining Counts of the Second Amended Complaint in the State Case.

14. On October 17, 2007, Judge Ayabe filed his Order granting in part and denying in part HPH Defendants' Motion for Partial Summary Judgment in the State Case.

15. On February 1, 2008, Judge Ayabe filed his Order granting HPH Defendants' Motion for Partial Summary Judgment as to Counts VIII, XII, and XIV.

16. On July 1, 2008, Judge Ayabe filed his Order Denying Plaintiffs' Motion to Reconsider and Vacate Orders Granting Partial Summary Judgment and for Discovery Sanctions, or for Leave to Conduct Discovery of Defendants' Unlawful Litigation Practices, filed April 9, 2008 in the State Case.

I declare under penalty of law that the foregoing statements are true and correct.

DATED: Honolulu, Hawai'i, July 3, 2008.

/s/ Kenneth S. Robbins  
KENNETH S. ROBBINS

Civil No. CV03-00708 SOM-LEK; Hawaii Children's Blood and Cancer Group v. Hawai'i Pacific Health, et al.; DECLARATION OF KENNETH S. ROBBINS